

RECEIVED
CENTRAL FAX CENTER

JAN 15 2008

**Energy Conversion Devices, Inc.****Patent Department**

2956 Waterview Drive
Rochester Hills, Michigan 48309

Cover Letter for Facsimile Transmissions:Date: 01/15/08Time: 2:56 PM

Please deliver the following pages to:

Name: Examiner Chuong D NgoFirm: USPTOFacsimile Phone Number: (571) 273-83002 pages are being transmitted (including this cover sheet).

Original will follow by:

- ☐ Regular Mail
☐ Overnight Mail
☐ Courier(DHL)
☒ Original Will Not Follow

Sender: Kevin L. Bray**COMMENTS:**

Dear Examiner Ngo:

Pursuant to your telephone call from yesterday, I submitted a terminal disclaimer for Appl. Ser. No. 10/726,785 with respect to U.S. Patents 6,963,893; 6,714,954; and 6,671,710. I faxed the terminal disclaimer to the central fax line of USPTO (571-273-8300). Please let me know if you need anything further. USPTO is authorized to charge the terminal disclaimer fee required by 37 CFR 1.20(d) to deposit account 05-1068.

Sincerely,

Kevin L. Bray, Ph.D.
Reg. No. 47,439

RECEIVED
CENTRAL FAX CENTER

JAN 15 2008

Our Ref.: OCC 2.1

Non-Provisional Patent

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Stanford R. Ovshinsky and Boil Pashmakov

Application Serial Number: 10/726,785

Filed: December 3, 2003

For: METHODS OF FACTORING AND MODULAR ARITHMETIC

Terminal Disclaimer to Obviate a Double Patenting Rejection over a "Prior" Patent

The owner, Energy Conversion Devices, Inc., of 100 percent interest in the instant application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application which would extend beyond the expiration date of the full statutory term of prior patent Nos. 6,963,893; 6,714,954; and 6,671,710 as the term of each of said prior patents is defined in 35 U.S.C. 154 and 173, and as the term of each of said prior patents is presently shortened by any terminal disclaimer. The owner hereby waives the right to separately enforce any patent granted on the instant application and said prior patents. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and said prior patents are not separately enforced. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

In making the above disclaimer, the owner does not disclaim the terminal part of the term of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 and 173 of any of said prior patents, "as the term of said prior patent is presently shortened by any terminal disclaimer", in the event that any of said prior patents later:

- expires for failure to pay a maintenance fee;
- is held unenforceable;
- is found invalid by a court of competent jurisdiction;
- is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321;
- has all claims canceled by a reexamination certificate;
- is reissued; or
- is in any manner terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

The undersigned is an attorney or agent of record, Reg. No. 47,439



Kevin L. Bray

January 15, 2008

Telephone Number: 248-299-6054